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September 16, 1994

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SEP 22 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

The Honorable John Breaux
United States Senate
516 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Breaux:

Thank you for your letter on behalf of Wayne F. McElveen, Sheriff, Calcasieu Parish, regarding the Commission's Billed Party Preference (BPP) proceeding. On May 19, 1994, the Commission adopted a Further Notice of Proposed Rulemaking in this proceeding. I have enclosed a copy of the Further Notice and press release accompanying it for your information.

The Further Notice sets forth a detailed cost/benefit analysis of BPP. This analysis indicates, based on the available data, that the benefits of BPP to consumers would exceed its costs. The Further Notice seeks comment on this analysis and asks interested parties to supplement the record concerning the costs and benefits of BPP. The Further Notice also invites parties to recommend alternatives to BPP that could produce many of the same benefits at a lower cost.

The Further Notice also explicitly seeks comment on whether correctional facility telephones should be exempt if BPP is adopted. Specifically, the Further Notice seeks additional information on the effectiveness and costs of controlling fraud originating on inmate lines with or without BPP. The Further Notice also seeks comment on a proposal to exempt prison telephones from BPP if the operator service provider adheres to rate ceilings for inmate calling services.

BPP would not preclude prison officials from blocking or limiting inmate calls to specific telephone numbers in order to prevent threatening and harassing calls. Moreover, BPP would not affect the ability of prison officials to limit inmates to collect calling or to program telephone equipment at the prison site to block certain numbers.

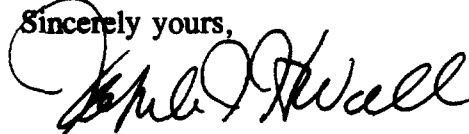
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The Honorable John Breaux
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Thank you for your interest in this proceeding. I can assure you that the Commission will carefully examine all of the comments submitted in response to the Further Notice, including additional empirical data regarding the costs and benefits of implementing BPP and the impact of BPP on telephone service from correctional facilities.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Kathleen M.H. Wallman". The signature is fluid and cursive, with the first name "Kathleen" being more prominent and the last name "Wallman" following in a similar style.

Kathleen M.H. Wallman
Chief
Common Carrier Bureau

Enclosures

JOHN BREAUX
LOUISIANA

MAJORITY
CHIEF DEPUTY WHIP

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August 25, 1994

Ms. Lauren J. Belzin
Acting Director, Office of Legislative Affairs
Federal Communications Commission
Room 808
1919 M. Street, N.W.
Washington, D.C. 20554

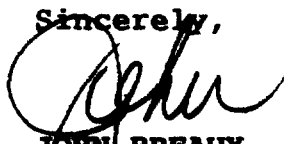
Dear Ms. Belzin:

I have been contacted by Sheriff Wayne McElveen concerning billed party preference at inmate facilities.

Please investigate the enclosed information sent to me and provide me with a report. Your reply may be forwarded to the attention of Alice Peterson.

Thank you for your attention and assistance.

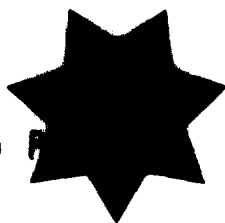
Sincerely,



JOHN BREAUX
United States Senator

JB: 
Enclosure

Sheriff



1994 AUG -4

Wayne F. McElveen

SHERIFF AND EX-OFFICIO TAX COLLECTOR

PARISH OF CALCASIEU

P.O. BOX V

LAKE CHARLES, LOUISIANA 70602

July 25, 1994

The Honorable John Breaux
156 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Breaux:

We are opposed to the application of Billed Party Preference (BPP) at inmate facilities.

We know the security needs at our facility and feel that it is imperative to route inmate calls from our facility to a single carrier that is equipped to properly handle inmate calls and with whom we have a contractual relationship. BPP will take away our ability to coordinate inmate calls through a carrier we know and trust. Instead, inmate calls may be routed to a number of different carriers, none of whom will have any obligation to us, and therefore not be required to provide tracking reports on these calls.

We have installed phone equipment specifically designed for inmate calls. This equipment is designed to help prevent fraud, abusive calls, and other criminal activity over the telephone network. We have a contract with a local, reputable firm that is obligated to work with us as we strive to maintain the security of this institution. The courts have always held that security of an institution is paramount, and have given much latitude to jail administrators to ensure that remains the case.

The Public Service Commission guarantees that our service provider may not take advantage of inmate families by charging abusive rates. We are not in the business of generating money from inmate phone calls. If this were the case, we would constantly "shop" providers to obtain the best rates for us. We have the same provider we opened this facility within in 1990. There are other providers that can give us more revenue, but we are more concerned with security and accountability. The BPP system will give us that ability.

I am asking that you urge the FCC Commissioners not to adopt regulations that interfere with our security and administrative needs; needs that the courts have left to our discretion and which we have a public responsibility to make.

Respectfully submitted,

WAYNE F. McELVEEN, SHERIFF
Calcasieu Parish

WFMcE:krb

P.S. Thanks again for all your help with the C.A.P. Grant.